

April 11, 1996

LB 1076
LR 343

before we had a chance to vote on the amendment, that's why it's pending right now. Obviously today we cannot amend, any amendment would end the bill for the session. So rather than pursue the amendment to have it adopted the question is whether or not the bill should be passed with the amendment part of it. So to facilitate a discussion about that I will leave the motion up there and allow others who may wish to comment the chance to do so before withdrawing the amendment. But I continue to be concerned. I wish we could have had the chance to correct the problem with the bill and I continue to have a concern about the fact that this bill has that amendment and we were not able to change that. Thank you.

PRESIDENT ROBAK: Thank you, Senator Wesely. Senator Wickersham.

SENATOR WICKERSHAM: Thank you, Madam President. As Senator Wesely put it, and I'm glad that he did, that if he pursued the motion to return, that is really a motion to kill the bill. LB 1076 is one of a series of significant retirement bills that have been presented to you this year. This is the last one. It is part of really, as I say, a number of very, very significant changes, both administrative in substance for the retirement systems. A couple of elements that are in 1076 that I would call to your attention are the provisions that we discussed yesterday with regard to LR 343. There is in 1076 a two-year statute of limitations. There is in 1076 a precise statutory provision that would allow PERB and NPERS to correct mistakes that they had made in administration of the systems because the statutes are literally a contract between the state or the school districts and the employees. We are literally putting into that contract a fudge factor, that if we've made a mistake it can be corrected. (LB) 1076 contains a change in the way we cost out buybacks. Under the current systems we have buybacks that are funded only at the employee contributions. That shifts significant cost to the other participants in the plan. That kind of a provision has never gotten this far in deliberation in this Legislature. I don't know whether I could get it that far again next year. There are a myriad of other changes that 1076 makes. If you want to look at your bill book, you want to read the committee statement you'll get some sense of those things. It is a conglomeration, if you will, of problems that we have identified in the administration of both the defined benefit and the defined contribution systems, some of them more significant